IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3744 OF 2007

Kalgonda Satgonda Patil. ..Petitioner.

V/s.

Dashrath R. Kamble & Ors. ..Respondents.

Mr.Manoj Chatage i/b. Mr.S.D.Dharmadhikari for petitioner.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 4, 2007.

P.C. :

1. Heard counsel for the petitioner.

2. I see no reason to depart form the conclusion reached by the Court below. The order in question is a discretionary order, in respect of which, no interference, in exercising of writ jurisdiction is warranted. The lower Court has considered all aspects of the matter before exercising discretion in favour of the plaintiff. Hence dismissed.

3. It is however, made clear that granting of amendment by the trial Court not to be understood as an expression of opinion on merits of the case either way. In other words, the trial Court shall decide all issues on its own merits in accordance with the

law. Ordered accordingly.